

From: [Adams, Sally](#)
To: [George, Sarah](#)
Subject: FW: Updated / Comprehensive COVID-19 Memo
Date: Wednesday, January 12, 2022 11:20:24 AM
Attachments: [CONDITIONS OF RELEASE ORDER.pdf](#)
[Emergency Memo COVID-19 and Daily Search Warrants.pdf](#)

From: George, Sarah <Sarah.George@vermont.gov>
Sent: Friday, April 10, 2020 1:37 PM
To: CCLEE <CCLEE@bpdvt.org>
Cc: Adams, Sally <Sally.Adams@vermont.gov>; Jiron, Justin <Justin.Jiron@vermont.gov>; Bouffard, Jennifer <Jennifer.Bouffard@vermont.gov>
Subject: Updated / Comprehensive COVID-19 Memo

Hello Everyone,

I hope this finds you all well considering the circumstances.

Last night, the Supreme Court extended the Judicial Emergency to **May 31st, 2020**. The order can be viewed here: <https://www.vermontjudiciary.org/sites/default/files/documents/ORDER.pdf>

The highlights for how this impacts previous memos, as well as reminders on the most important aspects or most common questions received, is below:

- The biggest impact this has is for citation dates. I had previously recommended late May or early June. However, effective immediately, *all normal citations should be issued for TEN to TWELVE weeks out from the date of the incident.*
 - **For any cases in which we have already requested a re-cite**, please HOLD OFF on re-citing anyone until we know for sure when the court is re-opening. There is no reason LE should be having unnecessary contact with people right now, and the previously requested dates may no longer be valid with the court's newest amendment. Also, if this order extends beyond May 31st, we don't want to ask LE for a second re-cite.
 - ****** When we know the exact timeframe of the Court re-opening, we will provide each department with a list of cases they need to re-cite, and we will give guidance about what the appropriate re-cite date is.
- For Juvenile casework:
 - We encourage officers to use the CJC even more than they normally would. Currently, even more serious incidents should be considered if the juvenile is willing to take responsibility and absent critical needs for social services. CJC's are still working remotely and are willing to help any way they can.
 - Cases which involve mental health, substance abuse, domestic violence, or other public safety considerations which call for Court supervision should still be referred to the State Attorney

- Juvenile citations should be issued *at least 8 weeks out* (Thursdays at 10:15).
 - We are still accepting emergency incidents which involve a juvenile that needs to be taken into custody. These cases require full DCF support as placements are currently very difficult.
 - If an officer has a case that falls outside of this guidance they should contact DSA Lucas Collins via e-mail at lucas.collins@vermont.gov or in emergency situations they should call DSA.
- I want to again stress that I have instructed staff to seriously consider what misdemeanor and/or non-victim cases truly need to be processed and charged during the next couple of months. Things are going to be incredibly uncertain and chaotic around here and to the extent that we can limit the number of cases we have to keep track of, we are going to do so. Most pending felony cases are being put on hold through all of this and we have to make sure we can address all of those cases as soon as possible without being weighed down by less serious offenses.
 - This may mean that some misdemeanors and/or non-victim cases (other than DUIs) are declined by our office for no other reason but COVID-19 chaos. This, again, is an attempt to allow our staff to focus on dockets where there is an injured victim or serious public safety risk, so we can guarantee they do not get lost during all of this.
 - I am incredibly hopeful that you will all do your best to limit the cases that come to our office, and instead consider CJC referrals or other community supports that may be able to provide appropriate services.
 - *Flash cites for misdemeanor and felony Domestic Assaults ARE allowed to be heard in Court and are encouraged.* Please make sure officers know that regular lodgings and all domestic assault cases are the *only* cases the Court is currently holding arraignments for.
 - Daily search warrants will continue to be electronic – that memo is attached.
 - Arrest warrants \$500 or less should trigger the officer to call a Judge to consider changing the warrant to a cite and release – that order is attached (titled CONDITIONS OF RELEASE ORDER).
 - Due to the COVID outbreak at Northwest, all lodgings are now being brought to CRCF again (see below). CRCF will be taking male INCAPS and lodgings from Chittenden and Franklin Counties. If they are held post arraignment they will be transported to Marble Valley. This may change of course if there are outbreaks at other facilities.

Attention Law Enforcement: effective immediately , 4/9/2020, please re-direct all arrest lodgings this evening to the following facilities:

Northeastern region arrests: All lodgings to Northern State Correctional Facility

Northwestern region arrests: All lodgings- including Males and Females to Chittenden Regional Correctional Facility

There are to be no lodgings at Northeast Correctional Complex or the Northwest State Correctional Facility. We will notify when normal lodging procedures can resume.
 - IF AN OFFICER DROPS PAPERWORK OFF FOR US AT SECURITY – PLEASE MAKE SURE THEY CALL

OUR OFFICE AND TELL US THAT!!!

- We have had a few days that we are waiting for lodging or flash cite paperwork for over an hour, only to be told it was left with security.
 - We only have 2-3 people in the office at all times so please have the officer let us know when they have left paperwork at security so we know to go down and get it.
- Any questions regarding enforcement of the Executive Order should be directed to the Attorney General's Office.

Final note: I know that departments are struggling with our most "needy" clientele during all of this. Carol Van Wormer, Kelly Chabot, Christian Blais etc. I do not have a good answer for you as to how to handle these individuals. I suggested to a couple of Departments to reach out to Commissioner Schirling for input but I don't know if that has been fruitful. I do think that retailers should be taking dustoff off all their shelves, as it is not an essential item right now. That could certainly help with CVW, but the others I just don't know. This frustration is not lost on my office and I'm willing to help brainstorm ideas, but the judicial order does not allow for them to be arraigned right now, so we need to find a way to handle them outside of the courthouse.

As always, please let me, Justin, Sally, or Jennifer know if you have any questions. We're all in this together.

Thank you all for the work you are doing to keep the community safe in such a crazy and uncertain time.

Be safe and healthy.

Talk to you soon.

Best,
Sarah